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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,095	05/09/2001	Velayudhan Nair, Gopa Kumar	C2068(C)	4732

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UNILEVER
PATENT DEPARTMENT
45 RIVER ROAD
EDGEWATER, NJ 07020

EXAMINER

MRUK, BRIAN P

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 07/21/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,095

Applicant(s)

KUMAR ET AL.

Examiner

Brian P Mruk

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 6, 7. 6) ☐ Other:

Art Unit: 1751

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 26 is objected to because of the following informalities: Instant claim 26, which depends from claim 25, recites, "further comprising 5-40% of a deterative surfactant". The examiner notes that claim 25 already requires 5-60% of a deterative surfactant, so the phrase "further comprising" is redundant. The examiner suggests that instant claim 25 should be amended to recite the required components with the term "comprising". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Denzinger et al, U.S. Patent No. 5,227,446.

Denzinger et al, U.S. Patent No. 5,227,446, discloses graft copolymers obtainable by free radical-initiated copolymerization of (a) 10-90% by weight of a monoethylenically unsaturated C_4 - C_8 dicarboxylic acid, (b) 10-90% by weight of a monoethylenically unsaturated C_3 - C_{10} carboxylic acid, (c) 0-40% by weight of another monoethylenically unsaturated monomer, and (d) 0-5% by weight of a monomer containing two or more ethylenically unsaturated double bonds, onto a monosaccharide or polysaccharide graft (see abstract & col. 1, line 67-col. 2, line 55), per the requirements of the instant invention. It is further taught by Denzinger et al that the other monoethylenically unsaturated monomer (c) includes sulphonic acid monomers, such as vinylsulfonic acid (see col. 2, line 65-col. 3, line 35), and that the polymerization occurs in the presence of hydrogen peroxide, ferrous ammonium sulfate, and chlorinated carbons (see col. 5, line 63-col. 6, line 50 & col. 15, lines 1-38). Denzinger discloses that the graft copolymers are used in conjunction with surfactants, builders, bleaches, and adjunct ingredients to wash fabrics (see col. 2, lines 26-28 & col. 25, line 52-col. 26, line 51), per the requirements of the instant invention. Specifically, note Examples 1-39. Therefore, instant claims 1-26 are anticipated by Denzinger et al, U.S. Patent No. 5,227,446.

5. Claims 1-6, 9-20 and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Krause et al, U.S. Patent No. 5,854,321.

Krause et al, U.S. Patent No. 5,854,321, discloses a graft copolymer based on sugar and a monomer mixture of 45-96% of a monoethylenically unsaturated C_3 - C_{10}

Art Unit: 1751

monocarboxylic acid, 4-55% of a monoethylenically unsaturated monomer comprising a sulphonic acid group, 0-30% of a monoethylenically unsaturated compound modified with 2-50 moles of alkylene oxide, 0-45% of a water-soluble, radically polymerizable monomer, and 0-30 of a, radically polymerizable monomer that is slightly soluble in water (see col. 3, lines 15-40), per the requirements of the instant invention. It is further taught by Krause et al that the graft copolymers are used in washing powders containing surfactants, builders, and adjunct ingredients (see col. 5, line 33-col. 6, line 22). Specifically, note Examples 1-30. Therefore, instant claims 1-6, 9-20 and 23-26 are anticipated by Krause et al, U.S. Patent No. 5,854,321.

6. Claims 1-6, 9-19 and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Beck et al, DE 4316746.

Beck et al, DE 4316746, discloses a phosphate free machine dishwashing detergent comprising 1-60% by weight of a graft copolymer of (a) a monosaccharide or oligosaccharide, (b) a monoethylenically unsaturated monocarboxylic acid, (c) a monoethylenically unsaturated sulphonic acid, (d) a monomer containing a carboxyl group, 5-90% by weight of an alkali former, 0-60% by weight of a dispersing agent, 0-10% by weight of surfactants, 0-50% by weight of other additives (see page 3, lines 4-16), per the requirements of the instant invention. It is further taught by Beck et al that the oligosaccharides include starch (see page 4, lines 12-20), and that the graft copolymers are made in solution or suspension (see page 5, lines 17-20). Specifically,

Art Unit: 1751

note Examples 1 and 4. Therefore, instant claims 1-6, 9-19 and 23-26 are anticipated by Beck et al, DE 4316746.

7. Claims 1-6, 11-20 and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Jost et al, U.S. Patent No. 5,223,171.

Jost et al, U.S. Patent No. 5,223,171, discloses a detergent composition comprising a graft polysaccharide containing a polymer backbone of polydextrose and a water-soluble ethylenically unsaturated monomer, such as acrylic acid and unsaturated sulphonic acids (see col. 1, line 44-col. 2, line 21), per the requirements of the instant invention. It is further taught by Jost et al that the graft polymer is made by free radical polymerization in the presence of hydrogen peroxide and ammonium persulphate (see col. 2, lines 22-49), and that the graft polymer is used in detergents containing surfactants; builders, and adjunct ingredients (see col. 3, line 15-col. 4, line 24). Specifically, note Examples 1-8. Therefore, instant claims 1-6, 11-20 and 23-26 are anticipated by Jost et al, U.S. Patent No. 5,223,171.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 1751

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Mruk whose telephone number is (703) 305-0728. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310 (Before Final) and (703) 872-9311 (After Final).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Bm

Brian Mruk
July 17, 2003

Brian P. Mruk

Brian P. Mruk
Patent Examiner
Tech Center 1700